HOW GOVERNMENT WILL RAISE ITS GREAT ARMY FOR WAR WITH GERMANY

Washington, May 11. — With all important points of the conscription bills settled upon by the conferees of the House and Senate, the war measure designed to raise and train at once 500,000 men will be passed finally by Congress and be in the hands of the President within a short time. The bill follows:

AN ACT to authorize the President to increase temporarily the military establishment of the United States.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, that in view of the existing emergency, which demands the raising of troops in addition to those now available, the President be, and he is hereby, authorized—

First, Immediately to raise, organize, officer and equip all or such number of increments of the regular army provided by the national defense act approved June 3, 1916, or such parts thereof as he may deem necessary; to raise all organizations of the regular army, including those added by such increments to the maximum enlisted strength authorized by law. Vacancies in the regular army created or caused by the addition of increments as herein authorized be filled by temporary appointment for the period of the emergency or until replaced by provisions of section 23 of the national defense act, approved June 3, 1916, and hereafter provisional appointments under said section may be terminated whenever it is determined, in the manner prescribed by the President, that the officer has not the suitability and fitness requisite for permanent appointment.

Second. To draft into the military service of the United States, organize and officer, in accordance with the provisions of section 111 of said national defense act, so far as the provisions of said section may be applicable and not inconsistent with the terms of this act, any or all members of the National Guard, and of the National Guard Reserve, and said members so drafted into the military service of the United States shall serve therein for the period of the existing emergency unless sooner discharged: Provided, That so drafted the organizations or units of the National Guard shall, so far as practicable retain the State designations of their respective organizations.

Third. To raise by draft as herein provided, organize and equip an additional force of 500,000 enlisted men, or such part or parts thereof as he may at any time deem necessary, and to provide the necessary officers, line and staff, for said force and for organizations of the other forces hereby authorized or by combining organizations of said other forces, by ordering members of the Officers' Reserve Corps to temporary duty in accordance with the provisions of section 38 of the national defense act approved June 3, 1916; by appointment from the regular army, the Officers' Reserve Corps, from those duly qualified and registered pursuant to section 23 of the act of Congress approved January 21, 1903 (Thirty-second Statutes at Large, page 775), from the members of the National Guard drafted into the service of the United States, from those who have been graduated from educational institutions at which military instruction is compulsory, or from those who have had honorable service in the regular army, the National Guard, or in the volunteer forces, or from the country at large; by assigning retired officers of the regular army to active duty with such force with their rank on the retired list and the full pay and allowances of their grade; or by the appointment of retired officers and enlisted men, active or retired, of the regular army as commissioned officers in such forces: Provided, That the organization of said force shall be the same as that of the corresponding organizations of the regular army: Provided further, That the President is authorized to increase or decrease the number of organizations prescribed for the typical brigades, divisions or army corps of the regular army, and to prescribe such new and different organizations and personnel for army corps, divisions, brigades, regiments, battalions, squadrons, companies, troops and batteries as the efficiency of the service may require: Provided further, That the number of organizations in a regiment shall not be increased nor shall the number of regiments be decreased: Provided, further, That the President in his discretion may organize, officer and equip for each infantry and cavalry brigade three machine-gun companies and for each infantry and cavalry division four machine-gun companies, all in addition to the machine-gun companies comprised in organizations included in such brigades and divisions. Provided further, That the President in his discretion may organize for each division one armored motorcar-machine-gun company. The machine-gun company organized under this section shall consist of such commissioned and enlisted personnel and be equipped in such manner as the President may prescribe: Provided further, That officers with rank not above that of colonel shall be appointed by the President alone, and officers above that grade by the President by and with the advice and consent of the Senate: Provided further, That the President may in his discretion recommission in the coast guard persons who have heretofore held commissions in the Revenue Cutter Service or the coast guard and have left the service honorably, after ascertaining that they are qualified for service physically, morally, and as to age and military fitness.

Fourth. The President is further authorized, in his discretion and at such time as he may determine, to raise and begin the training of an additional force of 500,000 men organized, officered and equipped, as provided for the force first mentioned in the preceding paragraph of this section.

Fifth. To raise by draft, organize, equip and officer, as provided in the third paragraph of this section, in addition to and for each of the above forces, such recruit training units as he may deem necessary for the maintenance of such forces at the maximum strength.

Sixth. To raise, organize, officer and maintain during the emergency such number of ammunition batteries and battalions, depot batteries and battalions and such artillery parks, with such numbers and grades of personnel as he may deem necessary. Such organizations shall be officered in the manner provided in the third paragraph of this section, and enlisted men may be assigned to said organizations from any of the forces herein provided for or raised by selective draft as by this act provided.

Sec. 2. That the enlisted men required to raise and maintain the organizations of the regular army and to complete and maintain the organizations embodying the members of the National Guard drafted into the service of the United States, at the maximum legal strength as by this act provided, shall be raised by voluntary enlistment, or if and whenever the President decides that they cannot effectually be so raised or maintained, then by selective draft; and all other forces hereby authorized, shall be raised and maintained by selective draft exclusively, but this provision shall not prevent the transfer to any force of training cadres from other forces. Such draft as herein shall be based upon liability to military service of all male citizens, or male persons not alien enemies who, have declared their intention to become citizens, between the ages of twenty-one and thirty years, both inclusive, and shall take place and be maintained under such regulations as the President may prescribe not inconsistent with the terms of this act. Quotas for the several States, Territories, and the District of Columbia, or subdivisions thereof, shall be determined in proportion to the population thereof, and credit shall be given to any State, Territory, District or subdivision, as members of any Federal force hereby authorized. All persons drafted into hereby authorized as members of the National Guard on April 1, 1917, or who have since said date entered the military service of the United States from any such State, Territory, District or subdivision either as members of the regular army or the National Guard. All persons drafted into the service of the United States and all officers accepting commissions in the forces herein provided for shall, from the date of said draft or acceptance, be subject to the laws and regulations governing the regular army, except as to promotions, so far as such laws and regulations are applicable to persons whose permanent retention in the military service on the active or retired list is not contemplated by existing law, and those drafted shall be required to serve for the period of the existing emergency unless sooner discharged: Provided, That the President is authorized to raise and maintain by voluntary enlistment or draft, as herein provided, special and technical troops as he may deem necessary, and to embody them into organizations and to officer them as provided in the third paragraph of section 1 and section 9 of this act.

Organizations of the forces herein provided for, except the regular army, shall, as far as the interests of the service permit, be composed of men who come and of officers who are appointed from the same State or locality.

Sec. 3. No bounty shall be paid to induce any person to enlist in the military service of the United States, and no person liable to military service shall hereafter be permitted or allowed to furnish a substitute for such service; nor shall any substitute be received, enlisted or enrolled in the military service of the United States, and no such person shall be permitted to escape such service or to be discharged therefrom prior to the expiration of his term of service by the payment of money or any other valuable thing whatsoever as consideration for his release from military service or liability thereto.

Sec. 4. That the Vice-President of the United States, the officers, legislative, executive and judicial, of the United States and of the several states, territories and the District of Columbia, regular or duty ordained ministers of religion, students who at the time of the approval of this act are preparing for the ministry in recognized theological or divinity schools, and all persons in the military and naval service of the United States shall be exempt from the selective draft herein prescribed, and nothing in this act contained shall be construed to require or compel any person to serve in any of the forces herein provided for who is found to be a member of any well-recognized religious sect or organization at present organized and existing and whose existing creed or principles forbid its members to participate in war in any form and whose religious convictions are against war or participation therein in accordance with the creed or principles of said religious organization, but no person so exempted shall be exempted from service in any capacity that the President shall declare to be noncombatant; and the President is hereby authorized to exclude or discharge from said selective draft and from the draft under the second paragraph of section one hereof, or to draft for partial military service only from those liable to draft as in this act provided, persons of the following classes: County and municipal officias, customhouse clerks, persons employed by the United States in the transmission of the mails, artificers and workmen employed in the armories, arsenals and navy yards of the United States and such other persons employed in the service of the United States as the President may designate, pilots, mariners, actually employed in the sea service of any citizen or merchant within the United States, persons engaged in industries, including agriculture, found to be necessary to the maintenance of the military establishment or the effective operation of the military forces or the maintenance of national interest during the emergency; those in a status with respect of persons dependent upon them for support which renders their exclusion or discharge advisable, and those found to be physically or morally deficient. No exemption or exclusion shall continue when a cause therefor no longer exists: Provided that nothwithstanding the exemptions enumerated therein, each state, territory and the District of Columbia shall be required to supply its quota in the proportion that its population bears to the total population of the United States.

The President is hereby authorized, in his discretion, to create and establish throughout the several states and subdivisions thereof and in the territories and the District of Columbia local boards, and where, in his discretion, practicable and desirable, there shall be created and established one such local board in each county or similar subdivision in each state, and one for approximately each thirty thousand of population in each city of thirty thousand population or over, according to the last census taken or estimates furnished by the Bureau of Census of the Department of Commerce. Such boards shall be appointed by the President, and shall consist of three or more members, none of whom shall be connected with the military establishment, to be chosen from among the local authorities of such subdivisions or from other citizens residing in the subdivison or area in which the respective boards will have jurisdiction under the rules and regulations prescribed by the President. Such boards shall have power within their respective jurisdictions to hear and determine, subject to review as hereinafter provided, all questions of exemption under this act, and all questions or claims for including or discharging individuals or classes of individuals from the selective draft, which shall be made under rules and regulations prescribed by the President, except, any and every question or claim for including or excluding or discharging persons or classes of persons from the selective draft under the provisions of this act authorizing the President to exclude or discharge from the selective draft "Persons engaged in industries, including agriculture, found to be necessary to the maintenance of the military establishment, or the effective operation of the military forces, or the maintenance of national interest during the emergency."

The President is hereby authorized to establish additional boards, one in each Federal judicial district of the United States, consisting of such number of citizens, not connected with the military establishment, as the President may determine, who shall be appointed by the President. The President is hereby authorized, in his discretion, to establish more than one such board in any Federal judicial district of the United States, or to establish one such board having jurisdiction of an area extending into more than one Federal judicial district.

Such district oards shall review on appeal and affirm, modify, or reverse any decision of any local board having jurisdiction in the area in which any such district board has jurisdiction under the rules and regulations prescribed by the President. Such district boards shall have exclusive original jurisdiction within their respective areas to hear and determine all questions or claims for including or excluding or discharging persons or classes of persons from the selective draft under the provisions of this act, not included within the original jurisdiction of such local boards.

The decisions of such district boards shall be final, except that, in accordance with such rules and regulations as the President may prescribe, he may affirm, modify or reserve any such decision.

Any vacancy in any such local board or district board shall be filled by the President, and any member of any such local board or district board may be removed and another appointed in his place by the President, whenever he considers that the interest of the nation demands it.

The President shall make rules and regulations concerning the organization and procedure of such local boards and district boards, and providing for and governing appeals from such local boards to such district boards, and reviews of the decisions of any local board by the district board having jurisdiction, and determining and prescribing the several areas in which the respective local boards and district boards shall have jurisdiction, and all other rules and regulations necessary to carry out the terms and provisions of this section, and shall provide for the issuance of certificates of exemption, or partial or limited exemptions, and for a system to exclude and discharge individuals from selective draft.

Sec. 5. That all male persons between the ages of twenty-one and thirty, both inclusive, shall be subject to registration in accordance with regulations to be prescribed by the President; and upon proclamation by the President or other public notice given by him or by his direction stating the time and place of such registration it shall be the duty of all persons of the designated ages, except officers and enlisted men of the regular army, the navy and the National Guard and Naval Militia while in the service of the United States to present themselves for and submit to registration unedr the provisions of this act; and every such person shall be deemed to have notice of the requirements of this act upon the publication of said proclamation or other notice as aforesaid given by the President or by his direction; and any person who shall willfully fail or refuse to present himself for registration or to submit thereto as herein provided, shall be guilty of a misdemeanor and shall upon conviction in the district court of the United States having jurisdiction thereof, be punished by imprisonment for not more than one year, and shall thereupon be duly registered. Provided, That in the call of the docket precedence shall be given, in courts trying the same, to the trial of criminal proceedings under this act. Provided further That persons shall be subject to registration as herein provided who shall have attained their twenty-first birthday and who shall not have attained their thirty-first birthday on or before the day set for the registration, and all persons so registered shall be and remain subject to draft into the forces hereby authorized, unless exempted or excused therefrom as in this act provided: Provided further, That in the case of temporary absence from actual place of legal residence of any person liable to registration as provided herein such registration may be made by mail under regulations to be prescribed by the President.

Sec. 6. That the President is hereby authorized to utilize the service of any or all departments and any or all officers or agents of the United States and of the several states, territories and the District of Columbia and the subdivisions thereof in the execution of this act, and all officers and agents of the United States and of the several states, territories and subdivisions thereof and of the District of Columbia, and all persons designated or appointed under regulations prescribed by the President, whether such appointments are made by the President himself or by the Governor or other officer of any state or territory to perform any duty in the execution of this act, are hereby required to perform such duty as the President shall order or direct, and all such officers and agents and persons so designated or appointed shall hereby have full authority for all acts done by them in the execution of this act by the direction of the President. Correspondence in the execution of this act may be carried in penalty envelopes bearing the frank of the War Department. Any person charged as herein provided wtih the duty of carrying into effect any of the provisions of this act or the regulations made or directions given thereunder who shall fail or neglect to perform such duty, and any person charged with such duty or having and exercising any authority under said act, regulations or directions, who shall knowingly make or be a party to the making of any false or incorrect registration, physical examination, exemption, enlistment, enrollment or muster, and any person who shall make or be a party to the making of any false statement or certificate as to the fitness or liability of himself or any other person for service under the provisions of this act, or regulations made by the President thereunder, or otherwise evades or aids another to evade the requirements of this act or of said regulations, or who in any manner shall fail or neglect fully to perform any duty required of him in the execution of this act, shall, if not subject to military law, be guilty of a misdemeanor and upon conviction in the district court of the United States having jurisdiction thereof, be punished by imprisonment for not more than one year, or if subject to military law, shall be tried by court-martial and suffer such punishment as a court-martial may direct.

Sec. 8. That the President, by and with the advice and consent of the Senate, is authorized to appoint for the period of the existing emergency such general officers of appropriate grades as may be necessary for duty with brigades, divisions and higher units in which the forces provided for herein may be organized by the President, and general officers of the appropriate grade for the several Coast Artillery districts. In so far as such appointments may be made from any of the forces herein provided for, the appointees may be selected irrespective of the grades held by them in such forces. Vacancies in all grades in the regular army resulting from the appointment of officers thereof to higher grades in the forces other than the regular army herein provided for, shall be filled by temporary promotions and appointments in the manner prescribed for filling temporary vacancies by section 114 of the national defense act approved June 3, 1916, and officers appointed under the provisions of this act to higher grades in the forces other than the regular army therein provided for shall not vacate their permanent commissions nor be prejudiced in their relative or lineal standing in the regular army.

Sec. 9. That the appointments authorized and made as provided by the second, third, fourth, fifth and sixth paragraphs of section 1, and by section 8 of this act, and the temporary appointments in the regular army authorized by the first paragraph of section 1 of this act, shall be for the period of the emergency, unless sooner terminated by discharge or otherwise. The President is hereby authorized to discharge any officer from the office held by him under such appointment for any cause which, in the judgment of the President, would promote the public service; and the general commanding any division and higher tactical organization or territorial department is authorized to appoint from time to time military boards of not less than three nor more than five officers of the forces herein provided for to examine into and report upon the capacity, qualification, conduct and efficiency of any commissioned officer within his command other than officers of the regular army holding permanent or provisional commissions therein. Each member of such board shall be superior in rank to the officer whose qualifications are to be inquired into, and if the report of such board be adverse to the continuance of any such officer and be approved by the President, such officer shall be discharged from the service at the discretion of the President with one month's pay and allowances.

Sec. 10. That all officers and enlisted men in the regular armk, and commencing June 1, 1917, and continuing until the termination of the emergency, all enlisted men of the army of the United States in active service whose base pay does not exceed $21 per month shall receive an increase of $10 per month; those whose base pay is $24, an increase of $8 per month; those whose base pay is $30, $36 or $40, an increase of $6 per month, and those whose base pay is $45 or more, an increase of $5 per month: Provided, that the increases of pay herein authorized shall not enter into the computation of continuous service pay.

Sec. 11. That all existing restrictions, upon the detail, detachment and employment of officers and enlisted men of the regular army are hereby suspended for the period of the present emergency.

Sec. 12. That the President of the United States, as commander-in-chief of the army, is authorized to make such regulations governing the prohibition of alcoholic liquors in or near military camps and to the officers and enlisted men of the army as he may from time to time deem necessary or advisable: Provide, That no person, corporation, partnership or association shall sell, supply or have in his or its possession any intoxicating or spirituous liquors at any military station, cantonment, camp, fort, post, officers' or enlisted men's club, which is being used at the time for military purposes under this act, but the Secretary of War may make regulations permitting the sale and use of intoxicating liquors for medicinal purposes. It shall be unlawful to sell any intoxicating liquor, including beer, ale or wine, to any officer or member of the military forces while in uniform, except as herein provided. Any person, corporation, partnership or association violating the provisions of this section or the regulations made thereunder shall, unless otherwise punishable under the Articles of War, be deemed guilty of a misdemeanor and be punished by a fine of not more than $1,000 or imprisonment for not more than twelve months, or both.

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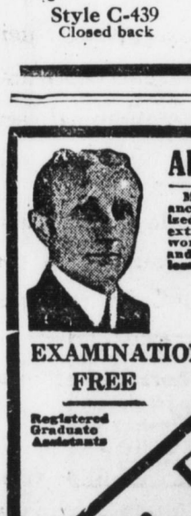

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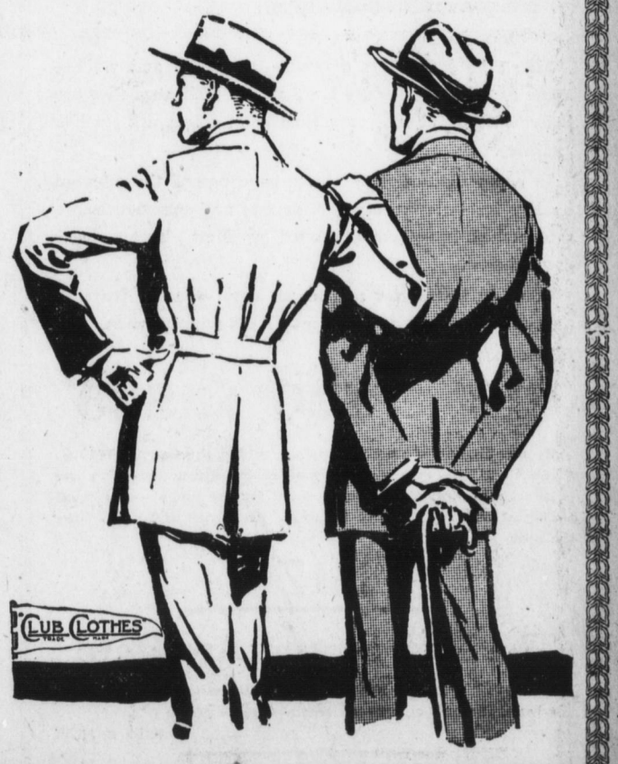

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